

Notice of Allowability

Application No.

10/647,946

Examiner

Mahmoud Gimie

Applicant(s)

LONG ET AL.

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3747

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 8/8/05.
2. ☒ The allowed claim(s) is/are 1-7,9-17,21 and 22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney J. Gordon Lewis on 9/15/05.

The application has been amended as follows:

Claim 12, line 7, before "a differentially" --A second circuit including-- has been inserted.

Claim 12, line 10, after "temperatures" --of-- has been inserted.

The following is an examiner's statement of reasons for allowance: The primary reason for allowance of claims 1,12, 21 and 22 is the inclusion of the limitations of

"A resistor thermally coupled to said die and configured to receive a load current resulting from production of said drive signal, said resistor generating heat resulting from dissipating said load current; a second circuit producing an output voltage proportional to a difference between an operating temperature of the die adjacent said resistor and a reference temperature of the die at a location spaced from said resistor; and a third circuit responsive to said output voltage to disable said first control signal,

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and thereby disable said drive signal, if said output voltage exceeds a reference voltage." in claim 1 ;

"A resistor thermally coupled to said die and configured to receive a load current resulting from production of said drive signal, said resistor generating heat resulting from dissipating said load current; a second circuit including a differentially connected transistor pair including a first transistor positioned adjacent to said resistor and a second transistor positioned remote from said resistor, said transistor pair producing an output signal proportional to a difference in operating temperatures said die at respective locations of said first and second transistors; and a third circuit responsive to said output signal to disable said first control signal, and thereby disable said drive signal, if a magnitude of said output signal exceeds a reference magnitude" in claim 12;

"Wherein said third circuit includes a comparator having a first input receiving said Output voltage, a second input receiving a reference voltage and a comparator output, said comparator output switching from a first logic level to a second logic level when said output voltage exceeds said reference voltage, and wherein said third circuit further includes a latch having a first input connected to said comparator output, a second input receiving an inverted representation of a second control signal and a latch output, said latch output switching from a first state to a second state when said second control signal is at a predefined logic state and said comparator output switches from said first

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logic level to said second logic level." in claims 21 and 22 that the prior art of record neither taught nor suggested.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mahmoud Gimie whose telephone number is 571-272-4841. The examiner can normally be reached on Tuesday-Friday between 7 a.m. -3:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Yuen can be reached on 571-272-4856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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MAHMOUD GIMIE
PRIMARY EXAMINER